



1010 Hess, Saginaw Development LLC, Richard Menke
Scott Crofoot to: leblancs, thelens
Cc: John Stemple

02/28/2014 05:10 PM

From: Scott Crofoot/saginaw
To: leblancs@michigan.gov, thelens@michigan.gov
Cc: John Stemple/saginaw

Hi Sharon and Scott,

Per our conversations on February 27, 2014 you find attached all the information that I have available for 1010 Hess, Saginaw, MI 48601. The property is owned by Saginaw Development LLC, care of Richard (Rick) Menke at 1281 Court St., Clearwater, FL 33756 and his cell number is 513-703-1026.

Included in the attachments you will find:

A letter to the owner from The City of Saginaw/John Stemple dated February 26, 2014.

A letter from the owner to the City of Saginaw Building Department dated February 25, 2014 which includes a demolition application and a copy of an expired City of Saginaw Building Wrecker License. It should be noted that not only was the letter incorrectly addressed to 315 instead of 1315 S Washington but the demolition application is for the City of Saginaw, TEXAS not the City of Saginaw, MICHIGAN.

A letter from the owner to John Stemple of the City of Saginaw dated February 23, 2014.

A letter from Saginaw County Treasurer Timothy Novak to the Emergency Response Branch of the United States Environmental Protection Agency dated February 20, 2014.

A summary report from AKT Peerless of current site conditions at 1010 Hess for the Saginaw County Land Bank Authority dated January 20, 2014.

And finally a full summary report from AKT Peerless of current site conditions at 1010 Hess for the Saginaw County Land Bank Authority dated October 24, 2013.

Due to the current site conditions and the fact that prior demolitions at 1010 Hess were completed with disregard to the State of Michigan Department of Environmental Quality and State of Michigan Occupational Safety & Health Administration guidelines and requirements regarding asbestos containing materials, the City of Saginaw is requesting that State of Michigan pursue the Owner of 1010 Hess, Saginaw Development LLC to the fullest extent of the law. The City of Saginaw believes that, due to the application for further demolition activities at the site, the owner intends to continue demolitions in a manner not in accordance with current state and federal regulations and which will put not only the employees of the owner but the citizens of the City of Saginaw in danger of contamination from airborne asbestos particulates.

Thank you very much for your attention to this matter. Please keep me informed of your decisions and progress in relation to this matter and if you have any questions please do not hesitate to call me at the numbers listed below.



Baker Perkins AKT Peerless Short Summary.pdf EPA Letter, 1010 Hess, Saginaw.pdf



Feb. 23, 2014 LFO.tif Feb. 25, 2014 Demo app.tif Feb. 26, 2014 LTO.pdf IMG_0318.JPG IMG_0320.JPG



IMG_0323.JPG IMG_0324.JPG IMG_0325.JPG Sampling Summary.pdf

Sincerely,

Scott D. Crofoot / Dangerous Buildings Inspector
City of Saginaw / RM 208
1315 S. Washington Ave.
Saginaw, Michigan 48601

(989) 759-1420 Office
(989) 759-1590 Fax
(989) 737-5671 Cell

CITY OF SAGINAW



February 26, 2014

Saginaw Development
1281 Court St.
Clearwater, FL 33756

RE: 1010 Hess Ave.

Dear Mr. Menke,

Thank you for summarizing your activities and intentions related to the property at 1010 Hess Ave. As I expressed to you during our conversation the City of Saginaw, Saginaw County, and the Saginaw County Landbank are very disturbed with the manner in which you have conducted your operations at this site, all of which has negatively impacted the environment in the City. It has created a significant eyesore for surrounding residents, and has even prompted neighboring businesses to consider leaving the City of Saginaw because of the unsightly and criminal element that your property brings.

During our conversation I told you that what the property is used for is up to you and is regulated by the City of Saginaw Zoning Ordinance which is available at www.amlegal.com for your review. Any permitted use within the M-2 zoning district that you would propose would be supported by the City of Saginaw as a matter of law.

The fact of the matter is the property was purchased by Saginaw Development, you, on 09/15/2011 for the purchase price of \$97,500. Since the purchase of the property, based on my observation, you secured a demolition permit for the removal of the buildings on the property. Portions of the buildings were demolished with valuable metals removed from the site and the remainder of the demolition debris was left in piles not only on your property but on property that is owned by the Saginaw County Landbank. To make matters worse, the demolition that was conducted by you violated the rules and regulations related to asbestos and demolition. Asbestos containing materials (ACM) are required to be removed prior to any demolition occurring. This has caused the piles of otherwise "clean" debris to be contaminated with ACM increasing the costs of cleanup on both properties.


Your letter discusses future possible uses for the property and your efforts to secure some new development. It is the position of the City of Saginaw that until such time that you have carried out the clean up and removal of all demolition debris, the demolition of the remaining buildings which are in various stages of demolition, and the property is otherwise made safe, conversations related to potential projects would be pointless.

If you intend to secure a demolition permit as your letter suggests I will only issue such a permit to a contractor that is licensed, insured, and experienced in projects of this nature, including experience and licensing in the removal of ACM containing materials. Further, you will be required to submit an environmental and due care plan in accordance with the laws of the State of Michigan outlining how this work will be carried out along with a final clearance provided by a third party after the work is completed. I have also contacted the Michigan Department of Environmental Quality (MDEQ) and the U.S. Environmental Protection Agency (EPA) for further guidance related to the contamination and asbestos issues at the site.

To make a long story short, you have not maintained this property in a satisfactory manner, have not paid any property taxes since you purchased it (over \$32,000.00 is currently owing for 2011/2012); have caused possibly irreparable harm to the neighborhood in which the property is located; caused ACM contamination of the site; possibly put the health of the employees that performed the demolition work at risk; and otherwise caused an overall negative impact on our City. You are advised that if you would like the help and support of the City of Saginaw, you should without delay clean up the site and otherwise do what you said you were going to do almost three years ago.

It is unfortunate that this situation has occurred, however should you choose to correct the issues that I have pointed out, the City will support any future development in the City which is in compliance with the laws of the State of Michigan and the City of Saginaw. I appreciate your cooperation in this matter.

Sincerely,


John C. Stemple
Chief Inspector

cc. Tim Morales, City Manager
Saginaw City Council
Tim Novak, Saginaw County Treasurer
Tom Miller Sr., Saginaw County Landbank
Tom Miller Jr., Saginaw Future Inc.
Scott Crofoot, Dangerous Building Inspector

John Stemple, Chief Inspector
City of Saginaw
1315 South Washington Ave
Saginaw, MI 48601
jstemple@saginaw-mi.com

SENT VIA US MAIL & EMAIL 2-23-14 RE: 1010 HESS AVE. SAGINAW, MI

Dear John.

I spoke with Floyd Kloc Thursday evening and asked if he would facilitate the payment of my property taxes to the county for 1010 Hess Ave. He agreed to do that. In addition, he suggested that I write a letter to you and CC the City Manager and Mayor regarding the history of my communications, my intentions to proceed with demo, timelines, and request and pay for a demo permit.

It was nice to finally speak with you two weeks ago on Friday, February 7th. I told you that I would follow up with a call on Tuesday, February 11 and I did. I also called and left messages numerous more times since and even spoke with Larry Coulouris again this past Tuesday and asked if he could get a hold of you and have you call me. I have not gotten a response back. I know you're very busy but I am in the 11th hour, need to discuss how I plan to proceed, need to get a demo permit issued to do so, and need to pay my taxes.

As you know and we discussed, I was very frustrated trying to get a response back, after a year and a half of trying to make contact, regarding the letter I received a letter from the City expressing their right and intention to continue with demo and billing my company. At that point in 2012, the contractor that I had negotiated with to crush the brick had put me off for months past his start date. I acknowledged that you and other city officials had a perfect right to be upset with the stop in progress. However, this was not a case of not responding or avoiding communications on my part but the other way around. I also expressed my hesitancy to pay property taxes due without knowing the City's intentions.

I was very much appreciative of Larry Coulouris arranging and facilitating our initial phone conference. I discussed with you several different usages for the site that were contemplated. I had preliminary discussions with other parties in the past regarding JV's and leases that I was unable to proceed any further with.

After our last conversation, I revisited some of them. I went back to a Canadian company that had discussed doing a JV nine months ago to develop a metal processing facility. That would have given them a presence here in the US. They have moved on from consideration of Saginaw as a site but said that they would reintroduce it to their board. I spoke with another company regarding their interest for the same usage and got no response. I also tried to re-spark discussions with a company that had interest in the site for building material distribution almost a year ago and they too said they would get back with me.

Without any strong commitments as of today my plan is this. I will continue diligently for the next 30 days to pursue all options, both these and any other. At the end of that 30 day period, if I cannot present a definitive plan on how to pursue the development of the property, I will continue with the demolition of the remaining structures and the removal rather than crushing of the brick that parties have expressed interest in as fill. I am open to any ideas regarding potential uses for the narrow office building on Hess Avenue. Once completed, I would like any help or direction you can provide to help pursue funds that may be available from state or federal sources for the cleanup of pre-existing environmental issues that I inherited.

Here is another consideration. Without knowing all of the potential challenges, I thought because of its location in Saginaw the site might be able to be developed as a sports and recreational facility once it is cleaned up. The thought came to mind being a sports enthusiast, coach, and knowing the positive impact a facility such as that could make on a community.

Please respond back via email. In addition, you can contact me by my cell phone below if you have any questions or would like to discuss anything. I will forward a payment for a demo permit to your office simultaneous with a payment to the County for property taxes.

Thank You

Rick Menke

Saginaw Development
1281 Court St.
Clearwater, FL 33756
saginawdevelopmentllc@gmail.com
Cell: 513-703-1026

CC: Timothy Morales, City Manager
City of Saginaw
1315 South Washington Ave
Saginaw, MI 48601
tmorales@saginaw-mi.com

Dennis Browning, Mayor
City of Saginaw
1315 South Washington Ave
Saginaw, MI 48601
dbrowning@saginaw-mi.com

SAGINAW BLDG. DEPT
315 S. WASHINGTON AVE
SAGINAW, MI 48601

2-25-2014

DEAR SIR/MADAM:

PLEASE PROCESS PAYMENT AND DELIVER
APPLICATION TO JOHN STEMPLE OR
AUTHORIZED PERSON TO ISSUE AN EXTENSION
OF PERMIT. PLEASE CALL 513-703-1026
TO CONFIRM RECEIPT.

THANK YOU
Rick Monke
SAGINAW DEVELOPMENT

City of Saginaw
 Permit Department
 205 Brenda Ln
 Saginaw, Texas 76179
 817-230-0453 Fax 817-232-9868



City of Saginaw

Permit Date: _____
 Permit #: _____
 Total Fee: \$100.00
 Receipt #: _____

DEMOLITION PERMIT APPLICATION

Permit Address: <u>1010 HESS AVE, SAGINAW, MI</u>			
Lot: _____	Block: _____	Addition: <u>73-91-26-0-45-1000-000</u>	Zoning: _____

PROPERTY OWNER INFORMATION

Name: <u>EMAIL SAGINAW DEVELOPMENT LLC@GMAIL.COM</u>		
Company Name: <u>SAGINAW DEVELOPMENT LLC</u>		
Address: <u>BUS: 1201 COURT ST.</u>		
City: <u>CLEARWATER</u>	State: <u>FL</u>	Zip: <u>33756</u>
Phone: _____	Fax: <u>727-230-7110</u>	Cell: <u>513-703-1026</u>

PERMIT INFORMATION

Do you have owner's consent to perform work? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Year building was built: _____
Was an asbestos survey performed in accordance with Texas Asbestos Health Protection Rules (TAHPR) and the National Emission Standards for Hazardous Air Pollutants (NESHAP)?	YES <input checked="" type="checkbox"/> *NO <input type="checkbox"/>
Date of survey: <u>ON FILE</u>	TDH Inspector License #: <u>ON FILE</u>
*If NO, then as the owner/operator of the renovation/demolition site, I understand that it is my responsibility to have this asbestos survey conducted in accordance with Texas' Asbestos Health Protection Rules (TAHPR) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) prior to a renovation/demolition permit being issued.	

UTILITY INFORMATION

TYPE OF UTILITY	DISCONNECTED	DISCONNECTION DATE
ELECTRIC	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<u>2011</u>
GAS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<u>2011</u>
WATER	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<u>2011</u>

Describe all work to be done:

DEMOLITION OF REMAINING STRUCTURES NOT IDENTIFIED IN A DEVELOPMENT PLAN AS OF 3-21-14 AND REMOVAL OF BRICK REMAINING ON SITE. NO CHANGE 18 SET OF PLANS FROM ORIGINAL LICENSE ENCLOSED.

CONTRACTOR INFORMATION

All Contractors must be registered with the City of Saginaw and Validated on Permit Prior to Permit Being Released

DEMOLITION CONTRACTOR INFORMATION

Company Name: <u>SAGINAW DEVELOPMENT LLC</u>		
Address: <u>1281 COURT ST.</u>		
City: <u>CLEARWATER</u>	State: <u>FL</u>	Zip: <u>33756</u>
Phone: <u>513-703-1026</u>	Fax: <u>727-230-7110</u>	Cell: <u>513-703-1026</u>

PERMIT REQUIREMENTS

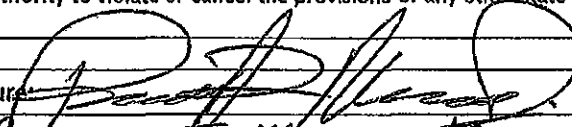
The following guidelines apply for this permit:

- 1) Applicant must provide two (2) complete sets of plans.
- 2) Work must be designed and performed in accordance with all current codes and Saginaw ordinances.
- 3) Permit and Inspection fee is \$100.00 (re-inspection fees may be assessed as necessary)

This permit, once issued, expires by limitation 180 days from the date of issuance unless construction is commenced and inspection approval is obtained within 180 days of issuance. The authority having jurisdiction shall be permitted to grant an extension of the permit time period for additional 180 days upon written documentation, by the permittee, of a satisfactory reason for failure to start or complete the work or activity authorized by the permit. Only one extension will be allowed.

I understand that all permits require a final inspection.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Applicant Signature: 	
Printed Name: <u>RICHARD F. MENKE JR.</u>	Date: <u>3-24-14</u>

FOR OFFICE USE ONLY

APPLICATION / PLAN INFORMATION

Application Accepted By:	Date:
Plans Delivered to Building Department: (2 sets)	Date:

INSPECTOR PLAN REVIEW

Information for PTWIn32

Project Description:		Total Floor Area:	
Construction Type:		Year Built:	

Comments:

Inspector Approval:	Date:
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CITY OF SAGINAW



BUILDING WRECKER LICENSE

This license is being issued to show that this individual or business is in compliance with the City of Saginaw ordinance Chapter 110 "GENERAL PROVISIONS" Title XI "BUSINESS REGULATIONS" OF THE SAGINAW CODE OF ORDINANCE 0-1.

BUSINESS:
LOCATED AT:

SAGINAW DEVELOPMENT LLC
1010 HESS AVE
SAGINAW MI 48601

LICENSE #: 11-00013701

ISSUED:

October 13, 2011

EXPIRES: April 30, 2012

Issuance of this Occupational License does not constitute a release of any known or unknown debt owed by the licensee to the City of Saginaw.

Given under my hand this the date of October 13, 2011

Diane M. Herman

Diane M. Herman, Saginaw City Clerk

PLEASE POST IN A CONSPICUOUS PLACE

CITY OF SAGINAW



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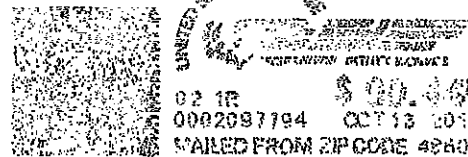
Diane M. Herman, Saginaw City Clerk

THIS IS AN ADDITIONAL COPY FOR YOUR RECORDS



See Reverse Side For Easy Opening Instructions

CITY OF SAGINAW, CLERK'S OFFICE
15-S. WASHINGTON AVENUE
SAGINAW, MI 48601



SAGINAW DEVELOPMENT LLC
1281 COURT ST

CLEARWATER FL 33756

33756#5807

